

Case of Benjamin Rathbun.
EXECUTIVE DEPARTMENT,
Albany, May 5, 1842.

Several respectable citizens, some of whom reside in Buffalo, and others in Batavia, together with more than fifty members of Legislature, representing various parts of the State, have united in expressing a wish that I would reconsider my decision made in May, 1840, denying an application for a pardon to Benjamin Rathbun.

The petitioners admit that that application was premature, and that the grounds upon which it was denied were satisfactory—but they express a hope that time may have wrought such a change in the circumstances of the case as to permit the prisoner's release consistently with the public welfare. Time often produces such a change of circumstances as is thus supposed, and such a result would be exceedingly agreeable to me in the present case.

It will be remembered that it appeared, when the application was considered, that the prisoner had been many years engaged in mercantile transactions, banking, building, common carrying, and purchasing, improving, and selling real estate, in which multifarious business he had employed, for a long time, two thousand laborers, besides near a hundred agents, assistants, cartmen, and overseers—had the control of several banks; and kept financial agents in Buffalo and New-York; and that his daily payments exceeded ten thousand dollars, and his vast financial operations affected the money market throughout the whole county; that these extensive financial operations were for a long time carried on by means of a skilful organized system for exacting and putting into market forged checks, notes and bills of exchange purporting to charge more than twelve persons of large estates and credit, and in fact drawing all their credit into requisition to sustain the prisoner's embarrassed fortune, at the expense of citizens who repaid confidence in the integrity of the prisoner and the financial ability of the persons whose signatures were thus fraudulently used. So extensive was this system, and so perfect the management, that the prisoner was unable to distinguish the spurious paper from that which was genuine, without referring to private marks and memorandum. When the discovery of the crime took place, it was found that forged paper representing more than a million and a half of dollars was in circulation, and this was probably less than a third of the whole amount for which false paper had been issued by the prisoner.

It appeared also that the previous examination of the case, that the prisoner, if he did not initiate his younger brothers and two nephews into this scheme of wickedness, at least unhesitatingly encouraged them in it for a long time, for his exclusive benefit, and that when the exposure took place he impulsively endeavored to make them responsible for all the forgeries, and to secure his acquittal upon the ground of his entire ignorance of those transactions.

It appeared further that at least six indictments were pending against the prisoner, and that he was exposed to similar prosecutions to an unlimited extent. Yet the prisoner was only once convicted, and was held to answer to the laws of his country for only one of such a multitude of high offenses.

Under these circumstances it was concluded that the selection of Benjamin Rathbun to be a recipient of Executive clemency would have an injurious effect by impairing the public confidence in the firm and equal administration of justice. The high excitement under which the prisoner labored during the period when his offense was committed, his previous good character, his enterprising disposition, and the great public usefulness, the deep affliction of his family and relatives, and the sympathy of his fellow citizens, were all considered; but they seemed insufficient to justify the intervention of the Executive department in his behalf. The chief features of the case remain unchanged, and unhappily can never be forgotten, and I am obliged, therefore, to conclude that the decision before made ought not to be reversed.

WILLIAM H. SEWARD.

The Honorable Mr. Case, of the Assembly, Buffalo.

MR. CLAY AT HOME.—The Lexington, Ky. Intelligencer of the 3d inst. says:

It having been announced that Mr. Clay would probably reach the county limits on his return home, on yesterday forenoon, a large concourse of his fellow citizens assembled near the bridge six miles from the city, on the Mayville Turnpike, for the purpose of greeting and bidding him welcome to the retirement he has chosen. He was attended from Mayville by a portion of the Committee of Reception, who had prepared there for that purpose. In Paris, he was joined by a numerous escort of the citizens of Bourbon. Near the Fayette line an immense assemblage of his fellow citizens and a large number of ladies, awaited his approach. Upon his arrival at this spot, he was addressed by Dr. J. C. Cross, who had been appointed to speak the welcome that every heart felt. And well did he execute his task. His address was brief, pertinent and eloquent—every heart is that vast multitude beat responsive to the words of the speaker, as he recounted the services of our distinguished fellow citizen, and expressed the gratitude which those services had inspired, and bid him welcome to the bosom of his family and his friends.

Mr. Clay from the open balsucie, in which he was placed, responded to the welcome which had been tendered him by his fellow citizens through Dr. Cross, in a few particularly happy and appropriate remarks—expressing his hearty acknowledgments of the honor shown him by the manner of his reception. The procession then moved on in the following order: the Bourbon escort in advance—the Committee of Reception in open carriages—Mr. Clay with the Chairman and two members of the Committee, in an open carriage, drawn by four grey horses—ladies in carriages—citizens in carriages and horseback. In this order, Mr. Clay was escorted into the city. Upon its arrival at the city limits between 1 and 2 o'clock, the bells upon the several churches and other public buildings set up a merry peal, and continued while the procession was moving through the city. The procession passed down Limestone to Second, thence to Broadway, down Broadway to Main street, and up Main street to Ashland, the residence of Mr. Clay.

WAR.—The following advice was given by Dr. Benjamin Rush, an eminent physician and philanthropist, who died about thirty years ago:

In order to impress more deeply the minds of the citizens of the United States with the blessings of peace, by contrasting them with the evils of war, let the following inscription be painted on the sign which is placed over the door of the war office, at Washington, namely:

'An office for butchering the human species.'

A widow and orphan-making office.

A broken-home-making office.

An office for creating public and private vices.

An office for creating public debt.

An office for creating famine.

An office for creating pestilential diseases.

An office for creating poverty, and for the destruction of Liberty and national happiness.'

In the lobby, let there be painted representations of the common instruments of death: also human skulls, broken bones, hospitals crowded with sick and wounded soldiers, villages on fire, ships sinking in the ocean, rivers dyed with blood, and extensive plains without a tree or fence or way other object but the ruins of deserted farm houses.

Above this group of woful figures, let the following words be inserted in red characters, to represent human blood: NATIONAL GLORY.'

PIANO FORTÉ FOR SALE.—A first-rate instrument, nearly new, by a first-rate maker, will be sold low for cash at 32 Government, corner Madison-street.

ROLLED GERMAN SILVER.—JAS. G. MOFFETT, 122 Princeton-street, New-York, will sell 100 feet of Rolled and Plated Silver, and Manufacturers to supply article in German Silver, which he sells for sale—lease and retail, of all thicknesses, and warrants it equal to any other Foreign or Domestic for color and surface.

R. C. R. BOGERT removed from 706 Broadway to No. 161 Eighth-street, St. Mark's Place, first house from Third Avenue.

Temperance and the Boys.

God speed the good work of temperance—boys have caught the enthusiasm, and it must prevail. Men will be ashamed to be seen putting the cups to the lips when even children will cry out against them. Strong, earnest preachers are they, straightforward and sincere. New-York will be regenerated. The time is coming when no longer will any lay himself down by the wayside, and leave his draughts of alcoholic poison, a loutsome spectacle to the passer-by, and a contamination of the sweet bounties of heaven by so doing, to one he may find himself, like the worthy Pickwick, trundled away, not to a pound, which is most appropriate, but to a Temperance room, erected by scores of merry and practical preachers.

A few days since, a cold-blooded disciple of Bacchus had singly encounered himself beside the College green, in Murray-street, there to do away the fumes of strong drink, with the fierce rays of the sun broiling his face till it had the appearance of bacon, fresh boiled. But the boys of Professor Ashton's Grammar School are by no means half adepts—that is not in accordance with the studies of Mechanics of all kinds, Artists, Farmers, Engineers, Architects, Physicians, Females, Females, and Females. And the students of Chemistry, Natural History, and Mathematics, are far more advanced than the boys of the school, and entered into the contest of different nations, to gain the victory of the Nation. The Sultan of Mecca's Pleasure Barge, the Wave, Galilee, Victoria, Atlantic, Wakato, Brooklyn, etc., also the Am, of Peck's Washington, the Queen of Hyde Park, Spain and Wave, Mobile, Georgia, Queen of Melville, Madame Celeste, of New Orleans, etc., etc.

CROLIUS'S Boat Establishment, 400 Water-street, four doors east of Catherine Market.—The Subscribers has in his manufactory, and under his own immediate superintendence, some of the best and most experienced builders in this city, and the best materials for building small steam-boats, which enables him to build at short notice boats of the most approved model and workmanship on the most liberal terms.

Builder of the Sultan of Mecca's Pleasure Barge, the Wave, Galilee, Victoria, Atlantic, Wakato, Brooklyn, etc., also the Am, of Peck's Washington, the Queen of Hyde Park, Spain and Wave, Mobile, Georgia, Queen of Melville, Madame Celeste, of New Orleans, etc., etc.

WANTED.—A Graduate of Yale College wants employment as Teacher in a School in the city or vicinity. References good. Address Teachers, at this office.

WANTED IMMEDIATELY.—Two girls to work at the Artificial Flower making, and a few to learn. Also a good Carrier. Inquire at 518 Clinton-street.

WANTED.—Employers are requested to inform the subscriber that she has made the necessary arrangements for providing men and women help that is good for any use, as they come from Europe, such as Mechanics of all kinds, Artists, Farmers, Engineers, Architects, Physicians, Females, Females, and Females. And the students of Chemistry, Natural History, and Mathematics, are far more advanced than the boys of the school, and entered into the contest of different nations, to gain the victory of the Nation. The Sultan of Mecca's Pleasure Barge, the Wave, Galilee, Victoria, Atlantic, Wakato, Brooklyn, etc., also the Am, of Peck's Washington, the Queen of Hyde Park, Spain and Wave, Mobile, Georgia, Queen of Melville, Madame Celeste, of New Orleans, etc., etc.

WANTED.—By a Young Man, a situation as Clerk in a Dry Goods or Grocery Store. His qualifications are such as to warrant his acceptance by those who may wish to employ him. Please apply at City Hall, German and America-streets, between 9 and 11 A.M.

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